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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

LONG ISLAND OFFICE

SEA METROPOLITAN, S.A.,

12 CV 5207 (SJF) (DCP)

Petitioner,

JUDGMENT

-against-

DGM COMMODITIES CORP.,

Respondent.

WHEREAS, Petitioner SEA METROPOLITAN, S.A. commenced this action on October 17, 2012, by the filing of a Verified Petition, to seek recognition and enforcement of: (1) a foreign arbitration award rendered against Respondent DGM COMMODITIES CORP. on January 23, 2012 by an arbitral panel constituted in London, England, pursuant to the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (9 U.S.C. §§ 201, *et seq.*) and the Federal Arbitration Act (9 U.S.C. §§ 1, *et seq.*); and (2) an English High Court Order rendered against DGM on July 18, 2012, under principles of comity and/or the Uniform Foreign Money-Judgments Recognition Act, N.Y. C.P.L.R. §§ 5301, *et seq.*;

WHEREAS, on October 23, 2012, Petitioner filed proof that service of the Summons and Verified Petition upon Respondent was accomplished in accordance with the Federal Rules of Civil Procedure on October 17, 2012;

WHEREAS, Respondent's response to the Verified Petition was due November 7, 2012, and Respondent has not answered, appeared or otherwise moved with respect to the instant action, and the time for doing so having expired and having not been extended;

WHEREAS, a Clerk's Certificate of Default was issued on November 13, 2012;

WHEREAS, the conditions have been satisfied for entry of judgment by default and for recognition and enforcement of the aforesaid London arbitration award and English High Court Order; and

WHEREAS, there is no just reason for delay;

NOW, upon application of Petitioner,

IT IS HEREBY ORDERED, ADJUDGED and DECREED that the Clerk enter Judgment against Respondent DGM COMMODITIES CORP. and in favor of Petitioner SEA METROPOLITAN, S.A. in the amount of \$4,358,850.59; and

IT IS HEREBY FURTHER ORDERED, ADJUDGED and DECREED that the Clerk enter Judgment against Respondent DGM COMMODITIES CORP. and in favor of Petitioner SEA METROPOLITAN, S.A. in an amount to be later provided, awarding Petitioner its attorneys' fees and costs incurred in connection with the underlying arbitration and this proceeding.

Dated: Islip, New York
January 24, 2013

s/ Sandra J. Feuerstein

The Hon. Sandra J. Feuerstein
U.S.D.J.